

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ADAM JAY STONE,

Plaintiff,

v.

ANDERSON, et al.,

Defendants.

No. 1:21-cv-01461-SAB (PC)

**THIRD ORDER DIRECTING SERVICE OF
SUBPOENAS ON WITNESSES BY THE
UNITED STATES MARSHAL WITHOUT
PREPAYMENT OF COSTS**

SERVICE WITHIN 7 DAYS

Plaintiff Adam Jay Stone is proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter is set for jury trial on April 29, 2025.

On February 27, 2025, the Court ordered the United States Marshal to serve subpoenas on the witnesses for which Plaintiff submitted the applicable fees. (ECF Nos. 217, 218.)

On March 7, 2025, the following subpoenas were returned as unexecuted as to witnesses: J. Gaddis, E. Moseley, D. Peterson, C. Rojas, B. Sparks, and E. Stark. (ECF Nos. 225, 230, 233, 234, 236, 237.)

At the pretrial hearing on March 21, 2025, Plaintiff provided an additional address for witnesses J. Gaddis, E. Moseley, D. Peterson, C. Rojas, B. Sparks, and E. Stark to be served.

///

///

///

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to forward the following documents to the United States Marshal:

(1) Six (6) completed and issued subpoenas to be served on:¹

J. Gaddis
10111 Old Placerville Road, Suite 100
Sacramento, CA 95827

E. Moseley
10111 Old Placerville Road, Suite 100
Sacramento, CA 95827

D. Peterson
10111 Old Placerville Road, Suite 100
Sacramento, CA 95827

C. Rojas
10111 Old Placerville Road, Suite 100
Sacramento, CA 95827

B. Sparks
10111 Old Placerville Road, Suite 100
Sacramento, CA 95827

E. Stark
10111 Old Placerville Road, Suite 100
Sacramento, CA 95827

(2) Six (6) completed USM-285 forms;

(3) Two money orders # 22079836937 and # 22084174315, made payable to J. Gaddis;

(4) Two money orders # 22079836947 and # 22084174305, made payable to E. Moseley;

(5) Two money orders # 22079836945 and # 22084174307, made payable to D. Peterson;

(6) Two money orders # 22079836949 and # 22084174300, made payable to C. Rojas;

(7) Two money orders # 22079836950 and # 22084174299, made payable to B. Sparks;

(8) Two money orders # 22079836942 and # 22084174310, made payable to E. Stark; and

(9) Seven (7) copies of this order, one to accompany each subpoena, plus an extra

¹ As Plaintiff is aware it is his responsibility to provide the correct name and appropriate addresses for service of all witnesses and his failure to do so correctly may result in the U.S. Marshal's inability to serve those individuals.

1 copy for the Marshal.

2 2. Within **seven (7)** days from the date of service of this order, the United States Marshal
3 is directed to serve **the subpoenas, money orders, and a copy of this order** in accordance with
4 the provisions of Rule 45 of the Federal Rules of Civil Procedure.

5 3. If a motion to quash the subpoena is filed it shall be served on Plaintiff, Adam Jay
6 Stone, CDCR No. BG-8285, at Kern Valley State Prison, P.O. Box 3030, Delano, CA 93216, and
7 Defendants' counsel, John W. Nam, at the California Attorney General's Office, 300 South
8 Spring St., Suite 1702, Los Angeles, CA 90013.²

9 4. The United States Marshal shall effect personal service and a copy of this order upon
10 the named individuals in the subpoenas pursuant to Rule 45 of the Federal Rules of Civil
11 Procedure and 28 U.S.C. § 566(c).

12 5. Within **fourteen (14)** days after personal service is completed, the United States
13 Marshal shall file the return of service, along with the costs subsequently incurred in effecting
14 service. Said costs shall be enumerated on the USM-285 form.

15 IT IS SO ORDERED.

16 Dated: **March 21, 2025**



17 STANLEY A. BOONE
18 United States Magistrate Judge
19
20
21
22
23
24
25
26

27
28 ² "A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena." Fed. R. Civ. P. 45(d)(1).